

## REMARKS

In response to the Office Action dated August 4, 2006, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance.

Claims 1-12 are pending in the present Application. Claims 1 and 9 have been amended leaving Claims 1-12 for consideration upon entry of the present amendment and following remarks.

Support for the claim amendments is at least found in the specification, the figures, and the claims as originally filed. More particularly, support for amended Claims 1 and 9 is at least found in the specification at page 4, lines 6-9, page 8, lines 12-16 and page 9, lines 14-16.

No new matter has been introduced by these amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above amendments and the following remarks.

### **Claim Rejections Under 35 U.S.C. §103**

Claims 1-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim et al., U.S. Patent No. 6,175,396 (hereinafter "Kim") in view of Shioya et al., U.S. Patent No. 5,583,681 (hereinafter "Shioya"). Applicants traverse the rejections.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art and that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Kim discloses a series of overlying sheets 3 inserted between the light guide plate 2 and the LCD panel 4. (Col. 6, lines 34-42 and Figure 1.) A top chassis 5 encloses a mold frame 1 accommodating the lamp (not shown), light guide plate 2, the overlying sheets 3 and the LCD panel 4. (*Id.*) The overlying sheets 3 are secured to the mold frame 1 via positioner 10 inserted

between the mold frame 1 and the LCD panel 4, passing through the sheets 3 overlying the mold frame 1. (Col. 7, lines 21-28 and Figure 2.)

For purposes of this response, mold frame 1, top chassis 5 and overlying sheets 3 may be considered the first receiving container, the second receiving container and the second optical member, respectively, of the claimed invention. The positioner 10/11 of Kim is specifically disclosed for *statically fixing* the sheets 3 to the mold frame 1 (considered as the first receiving container) only. The positioner 10/11 goes through the overlying sheets 3 and cannot be considered *between* the overlying sheets 3 and the top chassis 5. Kim does not teach or suggest any member disposed between the *overlying sheets 3* and the *mold frame 1* resembling an "elastic member," let alone for absorbing impact applied from an exterior between the mold frame 1 container and the sheets 3 as claimed.

Additionally, in the Office action at Page 2, it is conceded that Kim does not teach or suggest an elastic an elastic adhesive member for the purpose of absorption of impact forces and prevention of damage to the display components. Therefore, Kim does not teach or suggest **an elastic adhesive member disposed between the fixing portion of the second optical member and the second receiving container**, the elastic adhesive member absorbing impact applied from an exterior and being expanded or contracted by a predetermined length corresponding to an expansion of the second optical member to prevent a wrinkle of the second optical member of amended Claims 1 and 9.

Shioya discloses a liquid crystal panel and supporting means being so arranged to define an almost closed space functioning as an air damper *to suppress deformation caused by an externally applied force owing to elasticity of air within the almost close space*. (Col. 2, lines 37-43 and lines 56-62, and Col. 3, lines 1-5.) The liquid crystal panel 101 is *affixed* to a panel fixing plate (frame) 104 with a rubber type adhesive 105. (Col. 3, lines 59-61 and Figure 1.) The panel fixing frame 104 is *affixed* to a fixing frame supporting member 107 with an elastic or elastomeric member 106 so that the panel-fixing frame 104 is hung in suspension with respect to the fixing frame supporting member 107 and an almost closed space 124 is formed. (Col. 3, line 65-Col. 4, line 3.) Shioya does not teach or suggest anything of a second optical member of the claimed invention. To the contrary, Shioya merely discloses an LC panel 101 and a frame 104 being attached with only a light unit 109 generating a light directly to the LC panel 101.

For purposes of this response, housing 108 and frame 104 may be considered the first receiving container and the second receiving container, respectively, of the claimed invention. The adhesive/elastic members 105/106 of Shioya are specifically disclosed for fixing the LC panel 101 to the frame 104 and the frame 104 to the housing 108, respectively, not to absorb impact forces and prevent damage to the display components. To the contrary, Shioya discloses *a closed space* functioning as an air damper to suppress deformation caused by an externally applied force owing to elasticity of air within the almost close space, as discussed above, not the adhesive/elastic members 105/106.

Furthermore, there is no member or feature in Shioya between the frame 104 (considered as the second receiving container) and any other feature that the frame 104 covers, such as an optical member. In fact, Figure 1 shows a gap between the frame 104 and the only other feature, e.g. the light unit 109, that the frame 104 can remotely be considered as “covering.” Additionally, there is a gap between the LC panel 101 and the housing 108/transparent protective plate 121. Again, spaces and gaps are disclosed in Shioya to compensate for *an externally applied force*. Shioya does not teach or suggest any member disposed between the *second receiving container* and a feature of the device, let alone for absorbing impact applied from an exterior between the *second receiving container* and an optical member as claimed.

Moreover, Claims 1 and 2 of Shioya recite a member *secured to a housing via an elastic adhesive*. Throughout Shioya, the elastic member is merely used to secure components together. Shioya in no way discloses the elastic adhesive *expanding or contracting corresponding to an element to prevent a wrinkle of that element*, let alone the element being an optical member.

Therefore, Shioya further does not teach or suggest an elastic adhesive member disposed between the fixing portion of the second optical member and the second receiving container, the elastic adhesive member absorbing impact applied from an exterior and being expanded or contracted by a predetermined length corresponding to an expansion of the second optical member to prevent a wrinkle of the second optical member of amended Claims 1 and 9.

Thus, Kim and Shioya, alone or in combination, do not teach or suggest *all of the limitations* of amended Claims 1 and 9. Accordingly, *prima facie* obviousness does not exist regarding amended Claims 1 and 9 with respect to Kim and Shioya.

Notwithstanding that Kim and Shioya fail to teach or suggest all of the limitations of amended Claims 1 and 9, Applicants respectfully submit that there exists no motivation to combine Kim and Shioya to teach the claimed invention.

Firstly, Kim and Shioya teach or suggest no feature or element for absorption of impact forces and prevention of damage to the display components, such as an “elastic adhesive member” of the claimed invention between an optical member and a second receiving container. To the contrary, for example, Shioya only discloses gaps or spaces above its internal elements and does not even suggest anything of an optical member covered by a second receiving container. Shioya also specifically discloses closed space functioning as an air damper *to suppress deformation caused by an externally applied force* as evident from the lack of any “contact” members, such as an elastic adhesive member between a second receiving container and an element it covers. Therefore, there is no motivation or suggestion in Kim and Shioya to implement a feature between a second receiving container and an optical member covered by the second receiving container for absorption of impact forces and prevention of damage to the display components.

Secondly, even if Shioya’s adhesive/elastic members 105/106 are considered as disclosing the “elastic adhesive member” of the claimed invention, there is no teaching or suggestion in Shioya of the adhesive/elastic members 105/106 absorbing impact forces and preventing damage to the display components. To the contrary, Shioya merely discloses the adhesive/elastic members 105/106 *fixing* the LC panel 101 to the frame 104 and the frame 104 to the housing 108, as discussed above. Further to the contrary, Shioya specifically teaches the *absence* of any feature, e.g. *closed space* functioning as an air damper *to suppress deformation caused by an externally applied force*. Therefore, there further exists no motivation or suggestion in Shioya to implement a feature between a second receiving container and an optical member covered by the second receiving container for absorption of impact forces and prevention of damage to the display components, especially any adhesive/elastic members.

Finally, even if Shioya’s adhesive/elastic members 105/106 are considered as disclosing the “elastic adhesive member” of the claimed invention, there is no teaching or suggestion in Shioya of the adhesive/elastic members 105/106 being expanded or contracted by a predetermined length corresponding to an expansion of the display components to prevent a

wrinkle of a specific display component, let alone an optical member. For all the reasons stated above, there further exists no motivation or suggestion in Shioya to implement a feature between a second receiving container and an optical member covered by the second receiving container that expands or contracts corresponding to an expansion of any display component, especially any adhesive/elastic members.

Since Kim and Shioya fail to teach or suggest all of the limitations of amended Claims 1 and 9 and clearly disclose features contrary to the claimed invention, one of ordinary skill at the time of Applicant's invention would not have a motivation to modify or combine the references, or a reasonable likelihood of success in forming the claimed invention by the Examiner's suggestion of modifying or combining the reference. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Thus, the requirements of *prime facie* obviousness are not met by the Examiner's suggestion to combine Kim and Shioya. Applicant respectfully submits that Claims 1 and 9 are not further rejected or objected and are allowable. As Claims 2-8 and 10-12 variously depend from Claims 1 and 9, they are thus correspondingly allowable. Reconsideration and allowance of Claims 1-12 are respectfully requested.

### **Conclusion**

All of the objections and rejections are herein overcome. In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. No new matter is added by way of the present Amendments and Remarks, as support is found throughout the original filed specification, claims and drawings. Prompt issuance of Notice of Allowance is respectfully requested.

The Examiner is invited to contact Applicants' attorney at the below listed phone number regarding this response or otherwise concerning the present application.

Applicants hereby petition for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

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